

To: Kraig Knowlton, Director, Office of Human Resources
Tracy Diel, Director, Office of Administrative Hearings
James E. Lowther, Chairperson, Civil Service Board

From: Michele L. Tunnell, Secretary, Civil Service Board

Date: July 16, 2012

Re: Quarterly Update

The following reflects the Civil Service Board case filings and action taken since the April 16, 2012 quarterly report:

A. Cases Decided and/or Disposed Of:

Dismissal

affirmed

Department of Wildlife, Parks and Tourism

Public Service Administrator II. Appellant was dismissed after the agency found an inappropriate picture of an inmate on his Facebook page which resulted in the loss of his Department of Corrections (DOC) credentials. The Board affirmed the decision of the appointing authority.

Dismissal

withdrawn

Department of Labor

Public Service Executive I. Appellant was dismissed for participating in and/or condoning the altering, destruction and/or falsification of official records of the Department of Labor relating to unemployment insurance benefits. Appellant withdrew her appeal.

Dismissal

affirmed

Department of Labor

Program Consultant I. Appellant was dismissed for failing to comply with the terms of an agreement reached between her and Secretary Brownlee during an authorized unpaid leave of absence. The agreement resulted from appellant's habitual pattern of absenteeism and failing to timely report to work and return from breaks due to personal issues at home. The Board affirmed the decision of the appointing authority.

Transfer/Demotion and Whistleblower

dismissed

Department of Labor

Public Service Administrator II. During the reorganization of the Call Center, appellant was transferred to Records Management. Appellant claimed the move was a demotion and later added a whistleblower claim. The Board dismissed the case for lack of jurisdiction as both claims were filed after the statutory deadlines.

Dismissal

withdrawn

Kansas Highway Patrol

Master Trooper. Appellant was dismissed for spending a significant amount of time at his residence while on duty and for providing false and inaccurate information on his official time sheets. Appellant withdrew his appeal.

Dismissal

dismissed

Kansas Corporation Commission

Program Consultant I. Appellant was dismissed for making inappropriate, offensive and threatening comments in the workplace and for posting a work-related threatening comment on her Facebook page. The Board dismissed the case for lack of jurisdiction as the appeal was filed after the statutory deadline.

Dismissal

dismissed

Ellsworth Correctional Facility

Corrections Officer IB. Appellant was dismissed for having a personal relationship with a female offender incarcerated in a correctional facility in Idaho. Appellant failed to appear for a prehearing conference so a proposed default order was issued. Appellant did not file any response or motion to vacate so the appeal was dismissed upon the effective date of the order.

B. Cases Filed Between April 16, 2012 and July 15, 2012:

Dismissal, Department of Corrections, filed May 14, 2012

Dismissal, Osawatomie State Hospital, filed May 16, 2012

Dismissal, Department for Children and Families, filed June 8, 2012

Dismissal, Kansas Corporation Commission, filed June 11, 2012

C. Cases To Be Heard:

Dismissal, Department of Transportation, set August 24, 2012

Dismissal, Kansas Highway Patrol, set August 20-21, 2012

Dismissal, Department of Transportation, set August 7, 2012

Dismissal, Department for Children and Families, set August 22-23, 2012

10-day suspension, Department of Corrections, set September 5, 2012

5-day suspension, Department for Children and Families, set September 6, 2012

14-day suspension, Kansas Highway Patrol, set August 8, 2012

Dismissal, Kansas Correctional Industries, set August 9, 2012

Dismissal, Department for Children and Families, set October 8, 2012

5-day suspension, Department of Corrections, set September 18, 2012

Dismissal, Osawatomie State Hospital, set September 19, 2012

Dismissal, Department for Children and Families, set September 7, 2012

D. Statistics for Completed Cases:

Dismissals: 6

Transfer/Demotion-Whistleblower: 1

Affirmed: 2

Reversed: 0

Modified: 0

Dismissed: 3

Withdrawn: 2

Department of Corrections: 1

Department of Labor: 3

Department of Wildlife, Parks and Tourism: 1

Kansas Highway Patrol: 1

Kansas Corporation Commission: 1